

NOV 25 2006

Ralph E. Jocke  
Patent  
&  
Trademark Law

**FACSIMILE TRANSMISSION COVER SHEET**

TRANSMITTING: 3 PAGES (INCLUDING THIS PAGE)

NAME: Mail Stop AF, Commissioner for Patents  
P.O. Box 1450, Alexandria, Virginia 22313-1450

FAX NUMBER: (571) 273-8300

DATE: November 25, 2006

SENDER: Ralph E. Jocke

FAX OF SENDER (330) 722-6446

In Re Application of: **Eastman, et al.**  
 Serial No.: **10/797,634**  
 Confirm. No.: **6500**  
 Filed: **March 10, 2004**  
 For: **Cash Dispensing Automated Banking  
Machine With Deposit Holding Container**

Art Unit **2876**  
 Examiner **Karl D. Frech**  
 Docket: **D-1221 R6**

Sir:

Please find attached Applicants' Notice of Appeal for the above-referenced application.

Respectfully,

  
 Ralph E. Jocke Reg. No. 31,029
**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the U.S. Patent and Trademark Office this 25 day of November, 2006.

  
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PAGE 1/3 \* RCVD AT 11/25/2006 7:00:40 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-3/9 \* DNI:2738300 \* CSID:3307226446 \* DURATION (mm:ss):01:10

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Practitioner's Docket No. D-1221 R6

NOV 25 2006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: **Eastman, et al.** Art Unit 2876  
 Serial No.: **10/797,634** Examiner **Karl D. Frech**  
 Confirm. No.: **6500**  
 Filed: **March 10, 2004**  
 For: **Cash Dispensing Automated Banking  
Machine With Deposit Holding Container**

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed August 25, 2006, finally rejecting claims 1-27.

## 1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

## 2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 41.20(b)(1), the fee for filing the Notice of Appeal is:

Other than a small entity **\$500.00**

Notice of Appeal fee due **\$500.00**

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## 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$500.00

**TOTAL FEE DUE \$500.00**

## 5. FEE PAYMENT

Charge Account No. 09-0428 (Diebold Self-Service Systems) the sum of \$500.00

## 6. FEE DEFICIENCY

If any additional extension and/or fee is required, this is a request therefor and to charge Account No. 09-0428 (Diebold Self-Service Systems).

If any additional fee for claims is required, charge Account No. 09-0428 (Diebold Self-Service Systems).



SIGNATURE OF PRACTITIONER

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(Notice of Appeal from the Primary Examiner to the Board—page 2 of 2)